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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,457	01/11/2002	John David Russell	50277-1732	8504
43425 7590 11/27/2007 HICKMAN PALERMO TRUONG & BECKER/ORACLE 2055 GATEWAY PLACE SUITE 550 SAN JOSE, CA 95110-1089				
EXAMINER				
PITARO, RYAN F				
ART UNIT		PAPER NUMBER		
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11/27/2007		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/044,457

**Applicant(s)**

RUSSELL, JOHN DAVID

**Examiner**

Ryan F. Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 September 2007.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-26 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/CD/CD)  
Paper No(s)/Mail Date \_\_\_\_\_  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-26 have been examined.

***Response to Amendment***

2. This communication is in response to Amendment F filed 9/5/2007. Claims 1, 11, 14, and 24 are independent claims.

***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/5/2007 has been entered.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1,5-8,11-14,18-21,24-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Englefield ("Englefield", US 5,896,491).

As per independent claim 1, Englefield discloses a computer implemented method of depicting a plurality of items and how said plurality of items satisfy multiple criteria, the method comprising the computer-implemented steps of: generating a display of a list of visual indicators in a particular order (Figure 3a, wherein the data is in order according to date), wherein the particular order indicates how a plurality of items satisfy a first criteria (Figure 3a, dates ranging from 1/31/94 to 12/31/94 in ascending order); detecting input indicating the selection of a second criteria (Column 14 lines 38-56); in response to detecting said input, determining how said plurality of items satisfy the second criteria (Column 15 lines 28-43); and while retaining list of visual indicators in said particular order within said display, displaying a visual indication of how said plurality of items satisfy the second criteria (Figure 3d, Column 15 lines 28-43).

As per claim 5, which is dependent on claim 1, Englefield discloses a method wherein the step of displaying a visual indication includes displaying one or more other visual indicators visually associated with a subset of items that satisfy said second criteria (Figure 3d, Column 15 lines 28-43, colors).

As per claim 6, which is dependent on claim 1, Englefield discloses a method wherein the step of displaying a visual indication includes altering the visual appearance of one or more visual indicators from said list of visual indicators (Figure 3d, Column 15 lines 28-43, colors).

As per claim 7, which is dependent on claim 1, Englefield discloses a method wherein said first criteria is based on an alphabetic order of names associated with said plurality of items, and the particular order of the list of visual indicators indicates the alphabetic order of the name of the items (Figure 3a, numerical and alphabetical ordering are equivocal in terms of functionality).

As per claim 8, which is dependent on claim 1, Englefield discloses a method wherein the step of detecting input indicating the selection of a second criteria includes detecting input selecting a particular category of a plurality of categories; and the step of displaying a visual indication of how said plurality of items satisfy a second criteria includes displaying a visual indication of which items of said plurality of items belong to said particular category (Column 14 lines 38-56, Column 15 lines 28-43).

Claim 11 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

As per claim 12, which is dependent on claim 11, Englefield discloses the steps further include issuing a query to a database system that stores information

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about said plurality of items (Column 4 lines 43-64), wherein said query requests data that may be used to determine which set of items of said plurality of items satisfy a first criterion of said plurality of criteria (Column 14 lines 38-56, Column 15 lines 28-43; receiving results of the query from the database system; and wherein the step of generating third page elements is based on an examination of the results (Column 14 lines 38-56, Column 15 lines 28-43).

As per claim 13, which is dependent on claim 11, Englefield discloses a method including performing an examination of contents of said plurality of items to determine which of said plurality of elements satisfy a particular criteria of said plurality of criteria (Column 14 lines 38-56, Column 15 lines 28-43); wherein the step of generating third page elements is based on said examination of the contents (Column 14 lines 38-56, Column 15 lines 28-43).

Claim 14 is similar in scope to that of claim 1, and is therefore rejected under similar rationale.

Claim 18 is similar in scope to that of claim 5, and is therefore rejected under similar rationale.

Claim 19 is similar in scope to that of claim 6, and is therefore rejected under similar rationale.

Claim 20 is similar in scope to that of claim 7, and is therefore rejected under similar rationale.

Claim 21 is similar in scope to that of claim 8, and is therefore rejected under similar rationale.

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Claim 24 is similar in scope to that of claim 11, and is therefore rejected under similar rationale.

Claim 25 is similar in scope to that of claim 12, and is therefore rejected under similar rationale.

Claim 26 is similar in scope to that of claim 13, and is therefore rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-4,9,15-17,22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Englefield ("Englefield", US 5,896,491) in view of Gupta et al ("Gupta", US 6,956,593).

As per claim 2, Englefield fails to disclose a method wherein the page is self contained. However, Gupta discloses a method wherein the steps further include a browser receiving a self-contained page (Column 12 lines 3-22); and wherein the steps are performed by said browser in response to executing said self-contained page, without said browser having to interact over a network with a server to determine how said plurality of items satisfy said second condition (Figure 12-14). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Gupta with the method of Englefield. Motivation to do so would have been to provide a flexible application able to run on multiple environments.

As per claim 3, which is dependent on claim 2, Englefield-Gupta discloses a method wherein the step of the browser receiving the self-contained page includes the browser receiving the self-contained page over the network from the server (Gupta, Column 12 lines 3-22).

As per claim 4, which is dependent on claim 2, Englefield-Gupta discloses a method wherein the step of the browser receiving the self-contained page includes said browser causing said self-contained page to be read from removable computer-media (Gupta, Column 12 lines 3-22).

As per claim 9, which is dependent on claim 8, Englefield-Gupta discloses a method wherein said step of detecting input selecting a particular category



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includes detecting that a user has selected said particular category as a selection in a list box listing said plurality of categories as selections (Gupta, Column 12 lines 3-22, Figure 12-14).

Claim 15 is similar in scope to that of claim 2, and is therefore rejected under similar rationale.

Claim 16 is similar in scope to that of claim 3, and is therefore rejected under similar rationale.

Claim 17 is similar in scope to that of claim 4, and is therefore rejected under similar rationale.

Claim 22 is similar in scope to that of claim 9, and is therefore rejected under similar rationale.

8. Claims 10 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Englefield ("Englefield", US 5,896,491).

As per claim 10, which is dependent on claim 1, Englefield fails to distinctly point out a third criteria. However, Official notice is taken that it is notoriously well known that adding a third criteria would have been an obvious variation and would yield predictable results. Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching with the

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method of Englefield. Motivation to do so would have been to provide a distinct way of indicating yet meeting another different criteria.

Claim 23 is similar in scope to that of claim 10, and is therefore rejected under similar rationale.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday and on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sy D Luu/  
Primary Examiner, Art Unit 2174

Ryan Pitaro  
Art Unit 2174  
Patent Examiner

/R. F. P./